





Background Information about the Tribe

- Located in rural northeastern Montana, the Fort Peck Assiniboine and Sioux Reservation is home to two separate Indian nations, the Assiniboine and Sioux. The Fort Peck Indian Reservation was created in 1889 through an agreement with the United States Government. The Constitution and by-laws of the Tribes was adopted in 1956. It is the 9th largest Indian reservation in the United States and comprises parts of four counties: Roosevelt, Valley, Daniels, and Sheridan. The reservation covers over 2 million acres of land and has an estimated population of 12,000 enrolled members (half of which reside on the reservation). Nearly half of their enrolled members are below the age of 18*).
- The Fort Peck Tribes have a high unemployment rate and high poverty rate.
- Unemployment has stayed in the 50 percent range for 10 years. Poverty is at 49% with 46% of families with children below the poverty level. 60% of these poor families have female heads of households. The Bureau of Indian Affairs, June 2003, reports that 2,720 children are under the age of 18

*(USDA, Rural Development, rural Empowerment zone and Enterprise Community Program, 2003 Annual Report)

What is SORNA

- SORNA refers to the Sex Offender Registration and Notification Act which is Title I of the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248). SORNA provides a comprehensive set of minimum standards for sex offender registration and notification in the United States. SORNA aims to close potential gaps and loopholes that existed under prior law and generally strengthens the nationwide network of sex offender registration and notification program.

Fort Peck Tribes SORNA Team

- Patty McGeshick- Director Family Violence Resource Center
- Coleen Clark- Administrative Assistant (Family Violence Resource Center)
- Roosevelt County Sheriff - Freedom Crawford
- Lawrence Hamilton - CASOM Training Officer
- Melvin Clark - Roosevelt County Detentions Supervisor
- Bruce Bauer - Fort Peck Tribes Compliance Officer
- Edison Tapaha - Fort Peck Tribes Compliance Officer
- U.S. Marshals
- Tom Escarcega Jr.- Tribal Probation
- Mike Eliason – Federal Probation Officer

SORNA Team involvement

- Since it's inception, the SORNA team has been actively involved with:
- MDT – (Multi Disciplinary Team) – Monthly organization comprised of various State, Tribal and Federal agencies with a common goal working towards better information sharing and cooperative/collaborative efforts.
- Ft. Peck Tribes Injury Prevention Program
- Montana ICAC (Internet Crimes Against Children)

Implementation History

Historical overview of Sex offender management On the Fort Peck Indian Reservation

1999-2000: Fort Peck Tribes are awarded a planning grant from the Center for Sex Offender Management to develop collaboration and a plan for implementing sex offender registry.

- A team was created under a Memorandum of Understanding that identified each role and responsibility of the team member.
- A planner was hired whose task was to develop a system map and identify sex offenders on the Reservation
- The team identified 56 sex offenders both in prison and living in reservation communities.
- A system map was developed that identified key individuals and agencies with responsibility to victims and offenders.
- Lifetime registration requirements enacted by the Fort Peck Tribes.
- New MOU signed with Roosevelt County Sheriff's office for tribally convicted sex offender registration, DNA, palm prints.
- New amendments to the Comprehensive Code of Justice to comply with SORNA.
- Tribal Sex Offender registry forms developed.
- Tribal Sex Offender Registry implemented, TTSOR and Tribal website.

Implementation of SORNA Packet (Table of Contents)

- A. Tribal Historical Background Information and Criminal Justice System
- B. Implementation Plan
- C. Fort Peck Tribes Amended Sex Offender Code
- D. Memorandum of Understanding
- E. Supporting Documents
 1. Fort Peck Tribes Sex Offender Registry and S.O.R.N.A. Team – Policy and Procedure Manual
 2. Montana State Sex Offender Registration Forms
 3. Fort Peck Tribes Sex Offender Registry Forms

- Sex Offender Registration Update Form
- Sex Offender Checklist Form
- Sex Offender Registration Form
- Sex Offender Acknowledgement Form
- Re-registration Notification Letter
- Covered Sex Offenses
- Business Notification Form
- Fort Peck Tribes Sex Offender list in the Comprehensive Code of Justice at Tribal Court Website
- Absconder Form

F. Website Information

G. Tribal Authorized Registering Agents

Brief History

- The Fort Peck Tribes along with the Roosevelt County Sheriff's Office signed a MOU in 2008.
- The Roosevelt County Sheriff's Office was the primary jurisdiction for registering Sex Offenders on the Fort Peck Indian Reservation.
- The Fort Peck Tribes hired a Compliance Officer in October of 2008 to make sure all Sex Offenders were compliant with the Adam Walsh Act of 2006.
- The Fort Peck Tribes hired two more Compliance Officers in November of 2010
- The Fort Peck Tribes implemented SORNA in December of 2010 to be in compliance of the Adam Walsh Act of 2006.

History of Fort Peck Tribes CASOM Training and Technical Assistance

- The Tribes became technical assistance to other Tribes
- Rocky Boy
- Fort Belknap
- Presenting at the Montana/Wyoming Tribal Judges Conference In Billings
- Hosting a conference in Billings specifically geared towards implementing SORNA in Indian Country.

SMART OFFICE

- The SMART Office was authorized by the Adam Walsh Child Protection and Safety Act of 2006 to:
- administer the standards for the Sex Offender Registration and Notification Program set forth in Title 1 of the Adam Walsh Act;
- administer grant programs relating to sex offender registration and notification authorized by the Adam Walsh Act and other grant programs authorized by the Adam Walsh Act as directed by the Attorney General;
- cooperate with and provide technical assistance to states, the District of Columbia, principle U.S. territories, units of local government, tribal governments, and other public and private entities involved in activities related to sex offender registration or notification or to other measures for the protection of children or other members of the public from sexual abuse or exploitation; and
- perform such other functions as the Attorney General may delegate.

States and Tribes have until July 26, 2011 to implement SORNA

- ☐ If a Tribe elects to comply with the Act, it will be required to maintain a sex offender registry.
- ☐ The Tribe shall also be required to comply with the notification requirements established in the Act and maintain a web site making sex offender registry available to the public.
- ☐ Tribes that opt in will also have the option of collaborating with other jurisdictions to share the burdens of maintaining a sex offender registry.
- ☐ If a Tribe fails to pass a resolution by the July 26, 2011 deadline, the Tribe will have lost its opportunity to participate, and the state will be given the jurisdiction to come onto tribal land to enforce the law.
- ☐ As of now only Guam, States of Ohio, Delaware, South Dakota, and Florida, the Confederate Tribes of the Umatilla Indian Reservation, and the Confederate Tribes and Bands of the Yakima Nation as jurisdictions that have implemented SORNA.

TTSORS

- The [Tribe and Territory Sex Offender Registry System](#) (TTSORS) is a fully functioning system that complies with SORNA requirements. TTSORS was created to assist the 197 Indian tribes that have elected to implement SORNA and the 5 principal U.S. territories by effectively removing the technical difficulties of implementing SORNA requirements. It includes a customizable public website and a private administrative website for managing sex offender information. Most of Indian Country and the U.S. territories already have the resources they need to use TTSORS—a single computer with Internet access.

<http://fortpecktribes.nsopw.gov/>



SORNA CONVICTIONS

- The Fort Peck Tribes have convicted 10 individuals in Tribal Court for Failure to Register as a Sex Offender since 2008 (with others pending).
- All individuals that were convicted in Tribal Court were turned over to the US Marshals for prosecution. Three were convicted Federally under SORNA.

Fort Peck Tribal Code

- TITLE VI
- CHAPTER 8
- Sex Offender and Violent Offender Registration Ordinance
- Subchapter 1
- General Matters
- Sec. 801. Title.
- This ordinance shall be known as the Sex Offender and Violent Offender Registration Ordinance of the Fort Peck Tribes.
- Sec. 802. Purpose.
- The intent of this ordinance is to implement the federal Sex Offender Registration and Notification Act (SORNA) (Title I of Public Law 109-248) and shall be interpreted liberally to comply with the terms and conditions of SORNA as presently written or hereafter amended. In addition, this ordinance is to implement the Violent Offender statute of the Fort Peck Tribes.
- Sec. 803. Creation of registries.
- Sex Offender Registry. There is hereby established a sex offender registry, which the Fort Peck Tribes shall maintain and operate pursuant to the provisions of this ordinance, as amended. The Fort Peck Tribes, in their discretion, shall maintain the registry in conjunction with the Montana Department of Justice and Roosevelt County.

SORNA REGISTRY REQUIREMENTS

- All sexual offenders shall register AND keep the registration current, in EACH jurisdiction where the offenders - RESIDES - WORKS - and is a STUDENT

Upon Release From Custody

- *Additionally, all sexual offenders initially register in the jurisdiction in which they were convicted of the original/instant offense if that jurisdiction is different than the one in which they reside, work, or attend school.*

Fort Peck Tribes Registration Forms



SEXUAL OFFENDER REGISTRATION UPDATE FORM

Reporting this information is required by the Ohio - Sexual Offender Registration Code. All public information shall be entered into the National Inmate Sex Offender Registry within 3 business days. All other information shall be retained in electronic format.

PERSON INFORMATION

Offender Name: _____ DOB: _____

Residential Location (Street/County/Postcode): _____ Mailing Address: _____

Place of Employment (including information related to licensure or day after assignment): _____

Education Institution: ☐ If currently in, will not attending (Campus/Institution): _____

Vehicle and Licensing Information: _____

Physical Identifiers: _____

Residential Location (Street/County/Postcode): _____ Mailing Address: _____

Place of Employment (including information related to licensure or day after assignment): _____

Education Institution: ☐ If currently in, will not attending (Campus/Institution): _____

Vehicle and Licensing Information: _____

Physical Identifiers: _____

Signature: _____ Date: _____

Keeping Registration Current

- Within 3 days of any change in residence, employment, or educational location/student status, all sex offenders must **REPORT IN PERSON** in at least one of the jurisdictions effected

Periodic Registration Requirements

- All sex offenders shall appear in person in each jurisdiction not less than the following:
 - Tier III Sex Offenders - every 3 months;
 - Tier II Sex Offenders - every 6 months;
 - Tier I Sex Offenders - every year.

Length/Duration of Registration Requirements

- All sex offenders shall keep the registration current for the full registration period (unless in custody or civil commitment) as follows:
 - Tier III Sex Offenders - Life
 - Tier II Sex Offenders - 25 years
 - Tier I Sex Offenders - 15 years

Challenges

- Lack of equipment (i.e. Live Scan fingerprint scanner, office space, printers etc.)
- Vehicles
- Limited number of Tribal Members having home computers and internet access
- Lack of notification to community members
- Lack of transportation by offenders to register
- Challenges to Tribal requirements (John "Duck" Clark)
- Number of Non-Tribal Sex Offenders moving onto the Reservation (i.e. Man Camps, Oil boom, related work to oil industry)

- Questions?
